

Chair Anne Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. Chair Boyle invited the public to address the Commission and also announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published July 8, 2008 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held July 15, 2008 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, July 15:

Rule and Commission Hearing Room, Lincoln.
Regulation In the Matter of the Commission, on its own motion, seeking
#159 to amend Title 291, Chapter 5, Telecommunications Rules and
1:30 Regulations, to add rules for the administration of the
Telecommunications Relay Systems Act. Commissioner Rod
Johnson presiding as Hearing Officer.

Wednesday, July 16:

FC-1327 Commission Hearing Room, Lincoln.
9:00 In the Matter of the Formal Complaint of the Nebraska
Public Advocate seeking a determination that Kinder
Morgan, Inc. and/or its successor in interest, SourceGas
Distribution, LLC improperly implemented, billed and
received payment for interim and final rates in Docket
NG-0036 for which customers are entitled to a credit or
refund from Kinder Morgan, Inc. and/or SourceGas Distribu-
tion, LLC. Commissioner Jerry Vap presiding as Hearing
Officer.

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter orders granting applications AD-451r through AD-455r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AD-451r In the Matter of Platinum Recovery Solutions, Inc., Omaha,
Nebraska, seeking authority to register the connection of
an automatic dialing-announcing device in Omaha, Nebraska:

COMMUNICATIONS DEPARTMENT (Cont.)

In the Matter of Linebarger Goggan Blair & Sampson, LLP,
Austin, Texas, seeking authority to register the connection
of an automatic dialing-announcing device in the following
cities:

AD-452r San Antonio, Texas
AD-453r Denver, Colorado
AD-454r Houston, Texas

AD-455r In the Matter of Tiburon Financial, Omaha, Nebraska, seek-
ing authority to register the connection of an automatic
dialing-announcing device in Omaha, Nebraska:

C-3943/ In the Matter of the Commission, on its own motion, seeking
PI-137 to participate in a six month review of Qwest's Performance
Assurance Plans: Motion made by Commissioner Jerry Vap,
seconded by Commissioner Tim Schram, to enter an order opening a
docket. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3938 In the Matter of Qwest Corporation, Denver, Colorado, seek-
ing approval of a Cageless Collocation Amendment to the
Interconnection Agreement with Windstream of the Midwest, Inc., Little
Rock, Arkansas, previously approved in Docket C-1530: Motion made by
Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter
an order approving the application. Motion passed with Commissioners
Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting
AYE.

E-2194 In the Matter of Nebraska Public Power Distict, Columbus,
seeking authority to construct, operate and maintain elec-
tric transmission lines in Hamilton and Merrick Counties: Motion made
by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to
enter an order granting the application. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

E-2195 In the Matter of Norris Public Power District, Beatrice,
seeking authority to construct, operate and maintain elec-
tric transmission lines in Thayer County: Motion made by Commissioner
Rod Johnson, seconded by Commissioner Frank Landis, to enter an order
granting the application. Motion passed with Commissioners Anne Boyle,
Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund. Commissioner Tim Schram presiding as Hearing Officer. Gene Hand informed the Commission that \$4,786.86 was transferred out of the Competitive Marketplace Fund to the Nebraska Internet Enhancement Fund (NIEF) on July 7, 2008. Gene Hand informed the Commission the next NIEF advisory board meeting will be held July 30, 2008, at 1:30 p.m. in the Commission Hearing Room, Lincoln with video sites at Western NE Community College, Room 122, Sidney; Columbus Public Library, 2nd Floor Columbus Room, 2504 14th Street, Columbus; and Nebraska State Office Building, Room 207, 1313 Farnam, Omaha.

C-3946 In the Matter of the Commission, on its own motion, regarding Great Plains Communications, Blair, seeking a proposed increase in basic local exchange service rates for business and residential customers: Gene Hand provided the Commission with a copy of the notice of a proposed rate change sent by Great Plains Communications to all affected customers.

Gene Hand informed the Commission that a request was received from Allo Communications on July 9, 2008, asking the Commission to overturn NeuStar's denial of Allo's request for a code in the Scottsbluff Rate Center to serve a dedicated customer and to have the Chairman send NeuStar a letter requesting them to waive the Federal Communication Commission (FCC) requirements for utilization and months to exhaust and issue the requested code to Allo (OCN 710A). Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve sending a draft letter to NeuStar. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-20.02 In the Matter of Jeffrey L. Pursley, Director, Telecommunications Infrastructure and Public Safety Department, Complainant, v. 1-800-Reconex; Applied Communications Technology, Inc.; Arapahoe Telephone Company d/b/a ATC Communications; Cable USA III, LLC; Charter Fiberlink Communications VI, LLC; Citistream Communications, Inc.; Community Internet Systems, Inc.; Cozad Telephone Company; Dalton Telephone Company; Elsie Communications, Inc.; Global Connection Inc of America; Granite Telecommunications; LLC; MCImetro Access Transmission Services, LLC; NorthStar Telecom, Inc.; Three River Telco; Three River Communications, LLC; Time Warner Cable Information Services (Nebraska), LLC; VCI Company d/b/a Vilaine Communications, Inc., Respondent(s): Commissioner Vap presiding as Hearing Officer. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order dismissing the Complaint, in part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT(Cont.)

911-022.03 In the Matter of Alltel Wireless, Little Rock, Arkansas, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter a Nunc Pro Tunc order. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.05 In the Matter of Hall County, Public Safety Answering Point, Grand Island, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order amending the prior order approving funding. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.27 In the Matter of Platte County, Public Safety Answering Point, Columbus, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order approving mapping software and maintenance funding. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-030.05 In the Matter of Jeffrey L. Pursley, Director, Telecommunications Infrastructure and Public Safety Department, Complainant, v. Cricket Communications, Inc., San Diego, California, Respondent(s): Commissioner Schram presiding as Hearing Officer. Angela Melton discussed the quarterly reporting by this carrier, seeking Commission approval to amend the current complaint. Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to amend the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Ms. Melton also discussed the Hearing Officer's order entered July 15, 2008 continuing the hearing previously scheduled for July 29, 2008, to September 9, 2008 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NUSF-32.07 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of various companies to comply with Commission Rules and Orders and to impose administrative fines: Commissioner Johnson presiding as Hearing Officer. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter a Show Cause order scheduling a hearing for August 26, 2008 at 11:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT(Cont.)

Shana Knutson discussed the NUSF Late-Filed Carrier Remittance. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to deny the waiver request from Thomson Tax and Accounting on behalf of AirCell, Inc., for the March, 2008 late-fee. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

FC-1331 In the Matter of Kinder Morgan Interstate Gas Transmission, LLC, Lakewood, Colorado vs. Aquila, Inc., Omaha, and Nebraska Resources Company, Tulsa, Oklahoma, alleging violations of the State Natural Gas Regulation Act. Commissioner Frank Landis was appointed as Hearing Officer. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting interventions. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0013 In the Matter of the Commission, on its own motion, seeking to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act [LB 790, 2003]. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter Progression Order Number 20. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0053 In the Matter of Nebraska Resources Company, LLC, Tulsa, Oklahoma, Amended Application seeking a Certificate of Public Convenience and Necessity authorizing it to operate as a jurisdictional utility in Nebraska and approval of tariff. Commissioner Landis presiding as Hearing Officer: Laura Demman informed the Commission that a Hearing Officer's order was entered on July 8, 2008, denying the motion for modification of the schedule.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter Assessment Orders in Applications FC-1327, NG-0039, NG-0041, NG-0044, NG-0046, NG-0053. Motion passed With Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1327 In the Matter of the Formal Complaint of the Nebraska
HS-0013 Public Advocate seeking a determination that Kinder Morgan,
HS-0014 Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC. Commissioner Jerry Vap presiding as Hearing Officer.

NATURAL GAS DEPARTMENT (Cont.)

NG-0039 In the Matter of the joint application of Kinder Morgan,
HS-007 Inc., Houston, Texas; KM Retail Utilities Holdco LLC,
Houston, Texas; Source Gas Distribution LLC, Lakewood,
Colorado, Source Gas Holdings LLC, Stamford, Connecticut;
and Source Gas LLC, Stamford, Connecticut; seeking approval
of (1) the proposed transfer of Kinder Morgan, Inc.'s
Nebraska Certificate of Convenience and utility assets to
Source Gas Distribution LLC; and (2) the proposed change of
control of Source Gas Distribution LLC from Kinder Morgan,
Inc. to Source Gas LLC. Commissioner Jerry Vap presiding
as Hearing Officer.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks
GDS-0010 (Aquila), Omaha, seeking individual general rate increases
HS-0028 for Aquila's Rate Area One, Two and Three. Commissioner
HS-0029 Landis presiding as Hearing Officer.

NG-0044 In the Matter of the Joint Application of Aquila Inc. D/B/A
HS-0011 Aquila Networks, Kansas City, Missouri; Black Hills Corpor-
ation, and Black Hills/Nebraska Gas Utility Company, LLC,
both of Rapid City, South Dakota, seeking approval of the
proposed transfer of Aquila's Certificate of Convenience
and for a Change of Control of Aquila's Nebraska jurisdic-
tional assets. Commissioner Landis presiding as Hearing
Officer.

NG-0046/ In the Matter of the Commission, on its own motion, seeking
PI-128 to investigate certain customer service issues and plans
HS-003 relating to SourceGas Distribution LLC, f/k/a Kinder Morgan
Inc., Lakewood, Colorado. Commissioner Vap presiding as
Hearing Officer.

NG-0053 In the Matter of the Amended Application of the Nebraska
GDS-001 Resources Company, LLC, Tulsa, Oklahoma, seeking a Certifi-
cate of Public Convenience and Necessity authorizing it to
HS-006 operate as a jurisdictional utility in Nebraska and appro-
HS-007 val of the tariff. Commissioner Landis presiding as Hear-
ing Officer.

Laura Demman reported a total number of 31 consumer com-
plaints and inquiries received during June, 2008. For each company:
Aquila - 10; SourceGas - 19; and Other Entities - 2.

Laura Demman reported a total number of 399 consumer com-
plaints and inquiries received during the 2008 Fiscal Year. For each
company: Aquila - 149; SourceGas - 203; NorthWestern - 19, and other
entities - 28.

TRANSPORTATION DEPARTMENT

Rate Division

BR-332 In the Matter of the League of Human Dignity, Petitioner, vs. R & F Hobbies, Inc., dba Prince of the Road, Transport Plus, Inc., Caring Network, Inc., Midlands Services Link, Inc., A-1 Transportation, LLC, dba A-1 Special Services, Hope Transportation, Inc., Prime Consultants, Inc., dba Goodwill Medical Transportation, Inc., Respondents. Commissioner Boyle presiding as Hearing Officer: Mark Breiner informed the Commission that a motion to continue the hearing was filed by applicant and that a Hearing Officer's Order will be entered to reset the hearing previously scheduled for July 30, 2008, at 9:30 a.m. in the Commission Hearing Room, Lincoln.

BR-337 In the Matter of Fugitive Transportation, Norfolk, seeking authority to set its rates and charges: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TR-164 In the Matter of Servant Cab Company, LLC, Lincoln, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MR-1009 In the Matter of the Commission, on its own motion, initiating an investigation on range uniformity in the Official Intracity Household Goods Tariff 22, and to develop procedures for efficiently processing household goods mover tariff amendments: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an Order Nunc Pro Tunc: Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: The fuel surcharge in Tariff 7F was increased to \$1.46 per mile and the fuel surcharge in Tariff 22 is \$11.12.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich, provided an update on the financial status of the department.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT (Cont.)

RVF-2 In the Matter of the Commission, on its own motion, seeking to determine the seal and plan review fee amounts for the Recreational Vehicle Program: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order setting seal and plan approval fees. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MODF-2 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Modular Housing Program: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order setting the seal fee. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MANF-1 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Manufactured Home Program: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order setting the seal fee amount. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-340 In the Matter of Union Grain Company, St. Libory, seeking to haul out soybeans represented on lost warehouse receipt B672865, issued to Rod Placke in the amount of 1,000.67 bushels: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to grant the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GW-1599/ In the Matter of Alvo Grain and Feed, Inc., Alvo and
GD-1599 Ashland: John Fecht updated the Commission on the status of this docket.

GENERAL ADMINISTRATION

 Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AS Risk Management	\$	4,932.00
NARUC 2009 Membership Dues		9,336.00
Voyager		2,430.92
Rod Johnson		424.20
Rod Johnson		540.54
Tim Schram		120.00

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$ 1,727.98
Associated Hearing Health Care	564.40
B Hear Inc	3,001.27
Beltone	697.60
Glassman's Hearing Aid Service	223.88
Grand Island Hearing Aid Center	916.85
Carl A. Johnson Jr.	1,474.40
K & D Communications	982.85
Professional Hearing Aid Services	493.85
Sherard Hearing Aid Center	1,390.50
Teltex, Inc	174.95
U-Save Pharmacy & Medical Supply	629.30
Weitbrecht Communications	680.40
White's Hearing Aid Specialists	254.90
Alternative Hearing	255.00
Associated Hearing Health Care	1,003.75
Beltone	500.65
Carl A. Johnson Jr.	182.60
Professional Hearing Aid Services	254.95
Sherard Hearing Aid Services	1,179.95
Teltex	224.44
White's Hearing Aid Specialists	194.95

The following invoices were paid between July 2, 2008 and July 14, 2008 and should be ratified.

Harms Trucking	\$ 2,121.30
Harms Trucking	7,027.13
Alvo Grain	2,870.20

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Commission minutes for the month of June, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve a General Administration employee's request for tuition assistance. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve a Telecommunications Infrastructure and Public Safety Department employee's request for tuition assistance. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation for Laura Demman to travel to and attend the Natural Gas Summit to be held in Des Moines, IA on July 29, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation for Commissioner Rod Johnson to travel and attend the Natural Gas Summit to be held in Des Moines, IA on July 29, 2008. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson present not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to hire Dana Augustine, Osceola, as a Grain Warehouse Examiner. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to hire Sue Vanicek as Director of the Nebraska Telecommunications Infrastructure and Public Safety Department. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Commissioner Frank Landis left the Commission Hearing Room.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve the graphic design submitted by Art on Display for the Commission office entryway doors. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

The meeting adjourned at 10:58 a.m. with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Gerald Vap present and Commissioner Frank Landis excused. The next regularly scheduled meeting will be held on July 29, 2008, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on July 28, 2008.

Chair

Executive Director